

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JOYCE MARIE POWE,

Plaintiff,

V.

UNITED STATES DEPARTMENT
OF DEFENSE,

Defendant.

CASE NO. 2:05-CV-1140-WKW

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge filed herein on February 2, 2006, said Recommendation is hereby adopted, and it is

ORDERED that the defendant's Motion to Dismiss is GRANTED and this action be dismissed with prejudice, on the grounds that the court lacks jurisdiction and the complaint is frivolous.

Plaintiff Joyce Marie Powe is directed to review carefully the recommendation of Judge McPherson filed in this action on February 2, 2006, and to pay particular attention to the findings and conclusions therein with respect to the frivolous nature of this claim. Plaintiff Joyce Marie Powe is further advised that the filing of future claims on this factual basis against any division, department or branch of the government of the United States may result in sanctions, including monetary sanctions and restrictions on filing, against Joyce Marie Powe.

DONE this 23rd day of February, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE